

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

Jacob E. Palo

v.

Civil No. 12-cv-407-JD

David Dionne, Superintendent,
Hillsborough County Department
of Corrections

O R D E R

Before the court is pro se plaintiff Jacob Palo's motion for court-appointed counsel (doc. no. 8). Palo is a pretrial detainee, proceeding in forma pauperis. Palo seeks the appointment of counsel because he is indigent and because he does not have a full understanding of the law.

There is no federal constitutional right to counsel in a civil case. The court generally has discretion to deny an appointment, unless the indigent litigant shows that his case presents exceptional circumstances, such that fundamental unfairness, impinging upon the right to due process, is likely to result if counsel is not appointed. See DesRosiers v. Moran, 949 F.2d 15, 23 (1st Cir. 1991). Here, Palo has demonstrated that he can draft cogent arguments and claims. Palo's pretrial detention, lack of a full understanding of the law, and inability to afford counsel do not, at this time, threaten to

result in fundamental unfairness. Accordingly, the motion to appoint counsel (doc. no. 8) is denied without prejudice to refiling if exceptional circumstances should arise warranting an appointment.

SO ORDERED.



Landya McCafferty
United States Magistrate Judge

April 22, 2013

cc: Jacob E. Palo, pro se

LBM:jba